

Article - Environment

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§9–1906.

(a) (1) Any person who violates any provision of this subtitle or any regulation adopted under this subtitle, including making a false statement in a certificate of compliance, shall be liable to the State for a civil penalty of up to \$1,000 for each violation, but not exceeding a total of \$10,000 for any action.

(2) Each package or packaging component in violation constitutes a separate violation.

(3) The State shall recover the civil penalties under this subsection in a civil action in any county.

(b) Any person who previously has been assessed a civil penalty under this section and who willfully violates any provision of this subtitle or any regulation adopted under this subtitle, including making a false statement in a certificate of compliance, is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$20,000.

(c) The Department may seek an injunction to require the removal of a package or packaging component from sale or promotional use within the State against:

(1) Any person who violates or threatens to violate any provision of this subtitle or any regulation adopted under this subtitle; and

(2) A manufacturer who fails to certify on request of the Department that a package or packaging component produced by the manufacturer is in compliance with or is exempt under the provisions of this subtitle.

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